

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES DAVIS, III,

Plaintiff,

-against-

CORRECT CARE SOLUTIONS (A.K.A.)
WELLPATH, *et al.*,

Defendants.

19-CV-10588 (PMH)

ORDER

PHILIP M. HALPERN, United States District Judge:

Plaintiff's Amended Complaint names as Defendants Correct Care Solutions, Wellpath, medical staff at the Westchester County Jail (collectively the "Medical Defendants"), Westchester County, the New York State Department of Corrections ("DOC"), and three John Doe Defendants. By Order dated May 4, 2020, (1) the claims against Westchester County and the DOC were dismissed, (2) Plaintiff was given permission to file a Second Amended Complaint regarding his claims against the Medical Defendants "to state any facts in support of any claim he intends to bring against these medical defendants," and (3) the Westchester County Attorney was directed to provide the identity and badge numbers for the John Doe Defendants. Doc. 13. By letter dated July 2, 2020, the Westchester County Attorney notified the Court that it is unable to identify the John Doe Defendants. Doc. 15.


Therefore, within thirty days of the date of this order, Plaintiff is directed to provide the AG with more detailed, descriptive information for (1) John Doe #1 - C.O. that had worked 2-NW-block, (2) Sgt. John Doe #2, and (3) Captain John Doe #4 to assist the AG in properly identifying these Defendants. Plaintiff is also granted a *sua sponte* thirty day extension to file a Second Amended Complaint which includes additional factual allegations against the Medical Defendants. Within thirty days after Plaintiff provides additional information about the John Doe

Defendants, the AG shall identify the defendants whom Plaintiff seeks to sue here and the addresses where these defendants may be served. If the AG is unable to identify these defendants within those thirty days, the AG shall notify the Court, and the Court shall dismiss (1) John Doe #1 - C.O. that had worked 2-NW-block, (2) Sgt. John Doe #2, and (3) Captain John Doe #4 for failure to state a claim. Additionally, if Plaintiff fails to file a Second Amended Complaint with 30 days of the date of this Order, the Court shall dismiss Plaintiff's claims against the Medical Defendants for failure to state a claim.

Counsel for Westchester County are directed to mail a copy of this Order to Plaintiff and provide proof of service on the docket by July 10, 2020.

SO ORDERED.

Dated: July 7, 2020
New York, New York



PHILIP M. HALPERN
United States District Judge